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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CHRISTINA McCALEB,

Plaintiff,

vs.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.<sup>1</sup>

Case No.: 2:21-cv-01348-EJY

**UNOPPOSED MOTION FOR A FIRST  
EXTENSION OF TIME TO FILE CERTIFIED  
ADMINISTRATIVE RECORD AND ANSWER**

***(FIRST REQUEST)***

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the "Commissioner"), by  
 2 and through his undersigned attorneys, hereby moves for a first sixty-day extension of time to file the  
 3 Certified Administrative Record (CAR) and answer to Plaintiff's Complaint. The CAR and answer to  
 4 Plaintiff's Complaint are due to be filed by December 6, 2021.

5 Defendant makes this request in good faith and with no intention to delay proceedings  
 6 unnecessarily. Preparation of the transcript in this case will require transcription of an administrative law  
 7 judge and certification of the record by the Social Security Administration's Office of Appellate  
 8 Operations, which has reduced its backlog of transcription and certification requests significantly, but  
 9 does not anticipate having the record for this case prepared by December 6, 2021. Defendant requests an  
 10 extension in which to respond to the Complaint until February 4, 2022. If Defendant is unable to produce  
 11 the certified administrative record necessary to file an Answer in accordance with this Order, Defendant  
 12 shall request an additional extension prior to the due date. If the record is ready before that time,  
 13 Defendant will file it and the answer as soon as possible.

14 On December 2, 2021, the undersigned conferred with Plaintiff's counsel, who has no opposition  
 15 to the requested extension. It is therefore respectfully requested that Defendant be granted an extension of  
 16 time to file the CAR and answer to Plaintiff's Complaint, through and including February 4, 2022.

17 Dated: December 2, 2021

Respectfully submitted,

18 CHRISTOPHER CHIOU  
 19 Acting United States Attorney

20 /s/ Daniel P. Talbert  
 21 DANIEL P. TALBERT  
 Special Assistant United States Attorney

22 IT IS SO ORDERED:

23   
 24 HON. ELAYNA J. YOUCHAH  
 25 UNITED STATES MAGISTRATE JUDGE

26 DATED: December 2, 2021